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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,340	12/01/2000	Tom Vicknair	P/2167-253	5053
21967 7590 02/27/2007 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			EXAMINER DASS, HARISH T	
			ART UNIT 3693	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/27/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/728,340

Applicant(s)

VICKNAIR ET AL.

Examiner

Harish T. Dass

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-10,36-41 and 43-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-10,36-41 and 43-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on 04/11/2006, PROSECUTION IS HEREBY REOPENED. New ground of rejections set forth below.

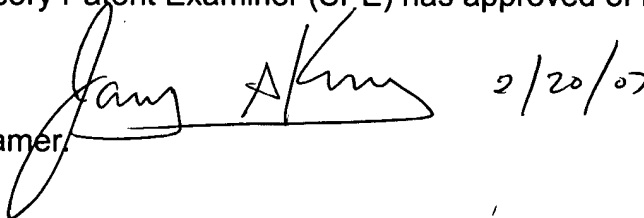
To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

James Kramer

Handwritten signature of James Kramer and the date 2/20/07.

Canceled claims: 7, 11-35, 42 and 46-66.

Claim Objections

2. Claim 43 is objected because it refers to a canceled claim (claim 42). Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper

Art Unit: 3693

dependent form, or rewrite the claim(s) in independent form. Examiner assumes claim 43 depends on claim 36.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-10 and 36-41 and 43-45 remain rejected Geer (US 5,930,778) in view of Gruenwald (US 6,457,006).

Re. Claims 1, Geer discloses a system for expedited processing of checks and cash items received by a payee, electronic files that mirror paper cash letters and detail records [Figures 1-2; col. 1 line 1 to col. 6 line 20],

receiving an electronic cash presentment (ECP or transmission of the transactional check data) file, the ECP file containing first records representing paperbased banking transactions [col. 2 lines 4-15; col. 4 line 26 to col. 5 line 9; col. 7 lines 25-61; col. 9 lines 1-10; col. 18 lines 1-18],
for each of the first records, assigning a unique first item sequence number to each respective first record [col. 7 lines 38-58],

Art Unit: 3693

receiving the paper-based banking transactions after having received the ECP file, [col. 4 line 45 to col. 5 line 10; col. 10 lines 50-57],

generating second records representing the paper-based banking transactions [col. 15 lines 17-19],

generating digital images of the paper-based banking transaction [col. 4 lines 26-42; col. 8 lines 9-67];

for each of the second records, assigning a unique second item sequence number to each respective second record [col. 13 lines 44-49], and

correlating the first and second records [col. 1 lines 58-65 – see reconcile the invoice and the payment].

Geer does not explicitly disclose discarding the second item sequence numbers such that the second records are indexable according to the first item sequence number, wherein the second records and the digital images (record) are linked to the records by the first item sequence number.

However, Gruenwald discloses this feature [Figures 7, 10, 12; col. 1 line 60 to col. 2 line 8; col. 2 lines 38-47; col. 4 lines 55-59; col. 10 lines 48-62 – see correlation across various data fields] to remove duplicate, defective or not used records and improve the memory usage of the database. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Geer and include discarding the second item sequence numbers such that the second records are indexable according to the first item sequence number, wherein the second records and the digital images (record) are linked to the records by the first item

Art Unit: 3693

sequence number, as disclosed by Gruenwald, to use standard database maintenance procedure and discard duplicate or redundant information to improve memory usage and the performance of the database.

Re. Claim 2, Geer discloses further comprising performing financial processing with respect to each of the first records [Geer -col. 3 lines 30-55; col. 4 lines 26-42].

Re. Claim 3, Geer discloses wherein the financial processing comprises posting the banking transaction [Geer- col. 3 lines 30-55; col. 4 lines 26-42].

Re. Claim 4, Geer discloses wherein the step of correlating the first and second records further comprises performing a proofing process [col. 1 lines 58-65; col. 5 lines 10-13]

Re. Claim 5, Gruenwald, further discloses prior to the proofing process, sorting the ECP file (raw data) according to a key to generate an index file, wherein the order of the seconds is thereby irrelevant in the proofing process [Figure 12; col. 1 lines 18-36; col. 8 line 52 to col.9 line 5]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Geer, and include the above feature, as disclosed by Gruenwald to identify duplicate data between the fields.

Art Unit: 3693

Re. Claim 6, Geer discloses wherein the key is selected from the group consisting an account number, a transit number, amount, check number, posting date, the first item sequence number and a payor bank number, each being associated with the paperbased banking transaction [Geer - col. 7 lines 38-62].

Re. Claim 8, Geer discloses further comprising storing the digital images in an archive [col. 8 lines 10-67; col. 15 17-19; col. 17 lines 5-8].

Re. Claim 9, Geer discloses further comprising generating first digital images of paperbased banking transactions that were not represented in the ECP file (electronic files that mirror paper cash letters and detail records) [col. 4 lines 26-42; col. 8 lines 9-67].

Re. Claim 10, Geer discloses generating second digital images of the paper-based banking transactions that were represented in the ECP file, and storing the first and the second digital images in an archive [col. 8 lines 9-67; col. 15 lines 7-19; col. 17 lines 5-8].

Re. Claim 36, claim 36 is rejected with same rational as claim 1.

Re. Claim 37, claim 37 is rejected with same rational as claim 2.

Re. Claim 38, claim 38 is rejected with same rational as claim 3.

Re. Claim 39, claim 39 is rejected with same rational as claim 4.

Art Unit: 3693

Re. Claim 40, claim 40 is rejected with same rational as claim 5.

Re. Claim 41, claim 41 is rejected with same rational as claim 6.

Re. Claim 43, claim 43 is rejected with same rational as claim 8.

Re. Claim 44, claim 44 is rejected with same rational as claim 9.

Re. Claim 45, claim 45 is rejected with same rational as claim 10.

Response to Arguments

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. *In response to this office action applicant must add a statement no new matter is added, and (presented and amended) claims and claimed limitations are related to one embodiment of the disclosure.* In case claims/limitations drawn from different embodiment(s) would be subject to restrictions. Applicant is requested to provide specification page number(s) for support of amended claim(s)/limitation(s).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

Art Unit: 3693

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass
Examiner
Art Unit 3693

Harish T Dass

2/20/07